

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1367

To prohibit taxpayer financed mass mailings.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 5 (legislative day, JUNE 30), 1993

Mr. WOFFORD introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To prohibit taxpayer financed mass mailings.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       SECTION 1. (a) This section shall apply to mailings  
4 by Senators, Senators-elect, and offices of the Senate  
5 made during fiscal year 1994 and each fiscal year there-  
6 after in addition to any other law relating to the use of  
7 the franking privilege.

8       (b) For the purposes of this paragraph—

9               (1) the term “mass mailing”—

10               (A) means, with respect to a session of  
11 Congress, a mailing of five hundred or more  
12 newsletters or other pieces of mail with sub-

1           stantially identical content (whether such mail  
2           is deposited singly or in bulk, or at the same  
3           time or different times), but

4           (B) does not include a mailing—

5           (i) of matter in direct response to  
6           communication from a person to whom the  
7           matter is mailed (to the extent of two such  
8           mailings) that—

9           (I) is the case of an initial re-  
10          sponse, is mailed at any time; or

11          (II) in the case of a followup re-  
12          sponse, is mailed not later than one  
13          hundred and eighty days after the  
14          date of receipt of the communication;

15          (ii) to other members of Congress or  
16          to a Federal, State, or local government of-  
17          ficial;

18          (iii) of a news release to the commu-  
19          nications media;

20          (iv) of a town meeting or mobile office  
21          notice; or

22          (v) of a Federal publication or other  
23          item that is provided by the Senate to all  
24          Senators or made available by the Senate

1                   for purchase by all Senators from official  
2                   funds specifically for distribution.

3           (c) A Senator, Senator-elect, or office of the Senate  
4 may not mail a mass mailing under the frank.

5           (d) As soon as practicable after the close of each  
6 quarter of a fiscal year, the chairman of the Committee  
7 on Rules and Administration of the Senate shall cause to  
8 be printed in the Congressional Record—

9                   (1) the dollar amount of the allocation of offi-  
10           cial mail costs made to each Senator, Senator-elect,  
11           and office of the Senate for the fiscal year;

12                   (2) the dollar amount of official mail costs that  
13           were incurred by each Senator, Senator-elect, and  
14           Senate office during that quarter; and

15                   (3) the balance of the allocation for official  
16           mailing costs that remain available to each Senator,  
17           Senator-elect, and Senate office.

18           (e)(1) In connection with their fiscal 1995 budget  
19 presentations to the Committee on Appropriations of the  
20 Senate, the Secretary of the Senate and the Sergeant at  
21 Arms and Doorkeeper of the Senate shall submit a report  
22 that describes—

23                   (A) the best available and most recent informa-  
24           tion relating to the amount of expenditures made  
25           from each Senate office account for official mail ac-

1       activities during fiscal year 1994 as of the date of the  
2       budget presentation;

3               (B) the best available and most recent informa-  
4       tion relating to the amount of expenditures made  
5       from each Senate office account for official mail ac-  
6       tivities during fiscal year 1993 as of the date that  
7       is one year earlier than the date referred to in sub-  
8       paragraph (A); and

9               (C) the amount of any difference between the  
10       amounts described in subparagraphs (A) and (B)  
11       that is attributable to the operation of subsection  
12       (c).

13       (2) As used in this subsection, the term “official mail  
14       activities” includes the cost of producing, processing, and  
15       mailing of official mail.

16       (f)(1) On and after the date of enactment of this Act  
17       and during fiscal year 1994 and each fiscal year there-  
18       after, no member, officer, or employee of the Senate may  
19       use any appropriated funds or any equipment or other re-  
20       sources that are paid for with appropriated funds for the  
21       purpose of procuring, gaining access to, or using a mailing  
22       list of any kind (including a voter registration list) that  
23       is produced by any public or private entity except a mail-  
24       ing list described in paragraph (2).

1       (2)(A) A mailing list is described in this paragraph  
2 if it is—

3           (i) a postal patron list or update as provided by  
4 the United States Postal Service to be used for town  
5 meeting and mobile office notices;

6           (ii) a list of members of the communications  
7 media;

8           (iii) a list of Federal, State, or local government  
9 officials; or

10          (iv) a list of fewer than five hundred persons  
11 identifiable as having an interest in a legislative  
12 topic that is different from any legislative topic iden-  
13 tified as a subject of interest of persons named in  
14 any list previously procured, accessed, or used by a  
15 person (or by another member of the office of which  
16 the person so procuring, accessing, or using is a  
17 member) and used for the purpose of making a mail-  
18 ing with official funds during a fiscal year.

19       (B) For the purpose of subparagraph (A)(iv), a legis-  
20 lative topic may be considered to be different from another  
21 legislative topic only if any mailing for which it is intended  
22 to be used (and for which it is in fact used) has a content  
23 that is not substantially identical (within the meaning of  
24 subsection (b)(1)(A)) to the content of any other mailing  
25 made by the office previously during the fiscal year.

